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and regulations of the board of health or any agreement contained in his application for a license, he shall be cited before the city commission to show cause why his license should not be revoked, and if, after opportunity be given him to be heard in his own behalf, it shall appear that such person has willfully violated any of such provisions or agreements, his license shall be revoked by the city commission.

SEC. 22. Any person violating any of the provisions of this ordinance, or the rules and regulations of the board of health, or any agreements contained in his application for a license shall be punished by a fine not exceeding \$100 or by imprisonment in the county jail not exceeding 90 days or by both such fine and imprisonment in the discretion of the court. Every day that a violation of this ordinance continues shall be treated as a separate offense.

SEC. 23. An ordinance entitled "An ordinance to regulate and control the selling of milk within the city of Jackson, and to license vendors thereof, and to regulate the care of the cows from which milk is sold, and for the inspection of dairies and dairy herds and of milk," passed March 20, 1899, and all other ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Board of Health—Organization, Powers, and Duties. Health Officer—Powers and Duties. (Ord. June 1, 1915.)

SECTION 1. The city commission shall constitute the board of health, and each session of the city commission shall be deemed also to be a session of the board of health: *Provided*, That no record of any such session of the board of health need be kept unless some action be taken by the city commission in its capacity as the board of health, but every action taken by the board of health shall be recorded in a book separate from the records of the city commission. The mayor shall be ex officio president of the board of health and the city clerk shall be ex officio clerk of said board. Special meetings of the board of health may be called in the manner provided for the calling of special meetings of the city commission.

SEC. 2. The board of health shall have general supervision over the health of the city and the city hospitals and shall from time to time take such steps as it may deem proper to promote the cleanliness and sanitary condition of the city. The health officer shall be the executive officer of the board of health. He shall have the right to take part in its deliberations, but shall have no vote.

SEC. 3. Subject to the orders of the board of health, the health officer shall have power and it shall be his duty:

(a) To make, or cause to be made, diligent inquiry with respect to all nuisances, sources of filth, and causes of sickness of every description in this city which are or may be injurious to the public health and to abate the same.

(b) To detain and examine, or to cause to be detained and examined, every person coming from a place infected with any communicable disease when, in his opinion, such detention and examination is necessary in order to prevent the introduction of the same into the city.

(c) To cause any nonresident of this city who is infected with any communicable disease to be returned to the place whence he came or to be removed to the detention hospital.

(d) To cause any resident of this city who is infected with any communicable disease to be removed to the detention hospital if, in the opinion of the city physician or health officer, the removal of such person is necessary for the preservation of the public health: *Provided, however*, That such removal can be effected with safety to the patient.

(e) To destroy any furniture, wearing apparel, goods, wares, or merchandise, or other personal property, which shall be exposed to or infected with a communicable disease: *Provided, however*, That such property shall first be appraised by two dis-

interested persons in order that remuneration may be made therefor by the city commission or by the board of supervisors.

(f) To rent proper buildings to be used for detention hospitals in case the present detention hospital is found insufficient, and to provide such furniture, medicines, and other articles as may be necessary to conduct such detention hospitals: *Provided*, That no building shall be so rented by the health officer for a longer period than one week without the approval of the board of health.

(g) To require the occupant of any dwelling house, store, shop, or other building in which there shall be any person sick with a communicable disease to put and maintain in a conspicuous place on the front of said building a card or sign, to be furnished by the board of health, on which shall be written or printed in large letters the name of the disease, and in case of the neglect or refusal of any person to comply with such requirement he shall be deemed to have violated this ordinance.

(h) To perform all other duties required by the general laws or by the ordinances of this city.

SEC. 4. Whenever it shall come to the knowledge of the health officer that any closet, sink, privy, private drain, manure pile, garbage, or any other nuisance injuriously affecting the public health, shall need cleansing, altering, relaying, or removing in order to protect public health, he shall make or cause to be made an examination of such alleged nuisance and if in his opinion such a nuisance exists, he shall thereupon cause the owner or occupant thereof to be notified in writing (either by personal service or by leaving such notice at his place of residence, or in case the premises are unoccupied, by posting the same in a conspicuous place thereupon), to cause the same to be cleansed, altered, relayed, repaired, or abated within a time to be fixed by said health officer, not less than three days from the date of service of such notice, and in case of refusal to comply with the requirements of such notice, the person so notified shall be subject to the penalties prescribed by this ordinance, and the health officer may cause to be cleansed, altered, relayed, repaired, or removed such closet, sink, privy, private drain, manure pile, garbage, or other nuisance, and the expense thereof shall be a lien upon the lot or premises affected thereby and may be collected in the same manner as a special assessment or by suit in assumpsit against the owner or occupant.

SEC. 5. If the person upon whom such notice is served or to whom it is directed shall feel himself aggrieved by the order of the health officer, he may appeal to the board of health by filing a claim of appeal with the city clerk within 48 hours after such notice is served or posted. Thereupon the board of health shall, at its next regular meeting or at some special meeting of which such person shall have had reasonable notice, give such person a full and fair hearing and shall sustain, modify, or reverse the order of said health officer. In the case of an appeal, the order of the health officer shall be deemed to be stayed until a decision is rendered by the board of health, and if such order be sustained in whole or in part by the board of health, it shall thereupon become effective subject to such changes or modifications as the board of health may make and shall be complied with by the person or persons affected thereby within such time as the board of health may determine.

SEC. 6. The health officer shall, subject to the orders of the city commission or board of health, be actively in charge of all matters pertaining to the public health of the city except as may be otherwise provided by the general laws or by the ordinance of this city. Unless it be otherwise ordered by the city commission he shall have charge and management of the city hospital, detention hospital and all other hospitals or places provided by the city for the detention or relief of sick or injured patients or those exposed to communicable diseases. In consultation with the board of health and with its approval he shall employ such clerks, medical attendants, nurses, or other help as may be necessary, properly and efficiently to maintain the public hospitals and places of detention and to carry on such other work as pertains

to his department. All of such employees shall serve during the pleasure of the health officer.

SEC. 7. Whenever in the judgment of the board of health there exists in or upon any building or premises a nuisance prejudicial to the public health; and the owner or occupant shall refuse or neglect to abate nuisance forthwith in the manner directed by the health officer or by the board of health, and it shall appear to the board of health that immediate action is required in order to preserve the public health, the board of health may thereupon cause said nuisance to be abated forthwith in such a manner as it may deem proper, and the reasonable expense incurred shall be a legal claim against the owner or occupant and a lien upon the premises, to be collected in the same manner as other special assessments, or by suit in assumpsit. The board of health may also, in such a case, at once and by force, if necessary, close up any such building or premises, and exclude all occupants therefrom until such nuisance shall be fully abated and until such premises or building, or both, if need be, are thoroughly disinfected, and in the judgment of the board of health fit for occupancy or use. Any person who shall resist the action of the board or its agents, under this section, shall be liable to the penalties provided for in this ordinance.

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SEC. 9. Whenever property of any description shall be destroyed by order of the health officer, as authorized by this ordinance, the same shall be paid for by the city commission like other claims against the city, except such claims as are valid claims against the county of Jackson.

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SEC. 11. The board of health may, from time to time, when the public health and safety so require, forbid the sale within this city of any fish, poultry, meat, vegetables, ice or provisions which are detrimental to the public health and safety, and it shall be the duty of the board of health to give public notice in two newspapers of this city of any resolution or order adopted by it, in which such sale is forbidden, for such length of time as the board of health may direct.

SEC. 12. The health officer, the sanitary inspector, and their assistants shall in the performance of their duties have all the powers of policemen.

SEC. 13. The board of health may from time to time make such regulations and by-laws respecting nuisances, sources of filth and causes of sickness as it shall deem necessary for the public health and safety.

SEC. 14. Any person who shall fail to comply with any of the provisions of this ordinance or shall refuse or neglect to comply with any of the regulations or by-laws or any of the requirements of the board of health, or of the health officer or any of their assistants in the performance of their duties, or any person who shall resist the board of health or any of its members, or the health officer or any of the assistants of the board of health, or of the health officer, in the performance of their duties, shall be punished by a fine not to exceed \$100, or by imprisonment not to exceed 90 days, or by both such fine or imprisonment in the discretion of the court.

SEC. 15. An ordinance entitled "An ordinance to establish a board of health and to define their powers and duties," passed July 16, 1877, and section 4 of an ordinance, entitled "Regulating the duties of scavengers," passed May 11, 1895, and all other ordinances and parts of ordinances inconsistent with this ordinance are hereby repealed.